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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,103

07/19/2005

Michael John Dagleish

6889P002

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05/14/2007

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EXAMINER

NGUYEN, HUNG T

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

05/14/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/530,103

Applicant(s)

DALGLEISH, MICHAEL JOHN

Examiner

HUNG T. NGUYEN

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 13-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 19-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. In the claims:

Applicant elects group 1, claims 1-12 & 19-23 for examination, therefore, group 2, claims 13-18 are NON elected which must be cancelled with or without traverse.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 & 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Gebert et al. (U.S. 5,396,234).

Regarding claim 1, Gebert discloses a verification apparatus for the verification of loop sensors [ fig4, col.2, lines 7-15, lines 39-42 and abstract ] comprising:

- a verification loop having a loop of electrical conductive material in the form of cable detectors (ABCD) / array of four cables [ fig.3, col.1, line 59 to col.2, line 6 and col.5, lines 26-27 ];

- impedance variation means of the verification loop as frequency changes / change in natural frequency during vehicle pass over the loop cables detectors [ col.3, lines 26-30 and col.10, lines 15-23 ].

Regarding claim 2, Gebert discloses the verification of a loop having switches for controlling circuits as monitoring frequency changes / change in natural frequency during vehicle pass over the loop cables detectors [ col.2, lines 30-36 and col.3, lines 3-14 ].

Regarding claim 3, Gebert discloses the verification loop having a loop of electrical conductive material in the form of cable detectors (ABCD) / array of four cables and other arrays could be linear array as desired [ fig.3, col.2, lines 24-36 and col.5, lines 26-27 ];

Regarding claims 10-11, Gebert discloses the verification of a loop having switches for controlling circuits as monitoring frequency changes / change in natural frequency during vehicle pass over the loop cables detectors [ col.2, lines 30-36 and col.3, lines 3-14 ].

Regarding claim 12, Gebert discloses the verification apparatus [ fig4, col.2, lines 7-15, lines 39-42 and abstract ] which is mounted or attached nearby location and removed is inherently.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-9 & 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gebert et al. (U.S. 5,396,234) in view of Allen et al. (U.S. 6,864,804).

Regarding claim 4, Gebert discloses the verification apparatus for the verification of a loop sensors [ fig4, col.2, lines 7-15, lines 39-42 and abstract ] comprising:

- a verification loop having a loop of electrical conductive material in the form of cable detectors (ABCD) / array of four cables [ fig.3, col.1, line 59 to col.2, lines 6 and col.5, lines 26-27 ];
- impedance variation means of the verification loop as frequency changes / change in natural frequency during vehicle pass over the loop cables detectors [ col.3, lines 26-30 and col.10, lines 15-23 ];
- the verification of a loop having switches for controlling circuits as monitoring frequency changes / change in natural frequency during vehicle pass over the loop cables detectors [ col.2, lines 30-36 and col.3, lines 3-14 ].

The reference of Gebert does not specifically mention the verification apparatus structure includes two substantially parallel elongate edge conductors because that is NOT primary subject of the invention, that is obvious design choice of the skilled artisan.

Furthermore, Allen teaches loop detections (110, 260) / arrays of loops having a plurality of structure of the loops structures includes two substantially parallel elongate edge conductors for monitoring the moving vehicles [ figs.27,29,32,45-46, col.7, lines 40-49, col.19, lines 14-37, col.42, line 65 to col.46, line 3 ].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Allen includes arrays of loops features and two substantially parallel elongate edge conductors in the system of Gebert to perform the same function as desired.

Regarding claims 5-9, Gebert discloses the verification of a loop having switches for controlling circuits as monitoring frequency changes / change in natural frequency during vehicle pass over the loop cables detectors [ col.2, lines 30-36 and col.3, lines 3-14 ].

Regarding claims 19-21, Gebert discloses a method of verifying a vehicle detection having loop sensors [ fig4, col.2, lines 7-15, lines 39-42 and abstract ] comprising:

- a verification loop having a loop of electrical conductive material in the form of cable detectors (ABCD) / array of four cables [ fig.3, col.1, line 59 to col.2, lines 6 and col.5, lines 26-27 ];
- the verification of a loop having switches for controlling circuits as monitoring frequency changes / change in natural frequency during vehicle pass over the loop cables detectors [ col.2, lines 30-36 and col.3, lines 3-14 ].

The reference of Gebert does not specifically mention the verification apparatus structure includes two substantially parallel elongate edge conductors because that is NOT primary subject of the invention, that is obvious design choice of the skilled artisan.

Furthermore, Allen teaches loop detections (110, 260) / arrays of loops having a plurality of structure of the loops structures includes two substantially parallel elongate edge conductors for monitoring the moving vehicles [ figs.27,29,32,45-46, col.7, lines 40-49, col.19, lines 14-37, col.42, line 65 to col.46, line 3 ].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Allen includes arrays of loops features and two substantially parallel elongate edge conductors in the system of Gebert to perform the same function as desired.

Regarding claims 22-23, Gebert discloses a verification apparatus for verifying a loop detection system which having loop sensors [ fig4, col.2, lines 7-15, lines 39-42 and abstract ] comprising:

- a verification loop having a loop of electrical conductive material in the form of cable detectors (ABCD) / array of four cables [ fig.3, col.1, line 59 to col.2, lines 6 and col.5, lines 26-27 ];
- the verification of a loop having switches for controlling circuits as monitoring frequency changes / change in natural frequency during vehicle pass over the loop cables detectors [ col.2, lines 30-36 and col.3, lines 3-14 ].

The reference of Gebert does not specifically mention the verification apparatus structure includes two substantially parallel elongate edge conductors because that is NOT primary subject of the invention, that is obvious design choice of the skilled artisan.

Furthermore, Allen teaches loop detections (110, 260) / arrays of loops having a plurality of structure of the loops structures includes two substantially parallel elongate edge conductors for monitoring the moving vehicles [ figs.27,29,32,45-46, col.7, lines 40-49, col.19, lines 14-37, col.42, line 65 to col.46, line 3 ].

Therefore, it would have been obvious to one having ordinary skill in the art to utilize the teaching of Allen includes arrays of loops features and two substantially parallel elongate edge conductors in the system of Gebert to perform the same function as desired.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.




- Clark (U.S. 4,568,937).
- Martin (U.S. 4,680,717).
- Lamazou et al. (U.S. 5,451,941).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 9:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wu, Daniel can be reached on (571) 272-2964. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

**HUNG NGUYEN**  
**PRIMARY EXAMINER**



Examiner: Hung T. Nguyen

Date: May 10, 2007